

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO.	
v.	:	DATE FILED:	
AURILUZ CRUZ	:	VIOLATIONS:	
VIVIAN SANTINI	:	21 U.S.C. § 846 (conspiracy to distribute 1	
	:	kilogram heroin - 1 count)	
	:	21 U.S.C. § 841(a)(1) (possession with	
	:	intent to distribute 100 grams or more of	
	:	heroin - 1 count)	
	:	21 U.S.C. § 841(a)(1) (distribution of	
	:	heroin – 3 counts)	
	:	18 U.S.C. § 924(c)(1) (possession of a	
	:	firearm in furtherance of a drug	
	:	trafficking crime - 1 count)	
		18 U.S.C. § 2 (aiding and abetting)	
		Notice of forfeiture	

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From in or about October 2005, to in or about June 2007, in Allentown, in the Eastern District of Pennsylvania, and elsewhere, defendants

**AURILUZ CRUZ and
VIVIAN SANTINI**

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute 1 kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1),(b)(1)(A).

MANNER AND MEANS

It was part of the conspiracy that:

2. From in or about October 2005, to in or about June 2007, an unindicted co-conspirator ("Co-conspirator #1), known to the grand jury, operated a heroin distribution organization in Allentown, Pennsylvania, and obtained and possessed bulk heroin for resale in Allentown, Pennsylvania and vicinity.

3. Defendant AURILUZ CRUZ frequently shared her residence with Coconspirator # 1 at 1318 Walnut Street in Allentown (the Walnut Street residence) and assisted Co-conspirator #1 in the distribution of heroin. Defendant CRUZ assisted Co-conspirator # 1 by personally distributing and delivering heroin to customers, storing heroin in her Walnut Street residence, and by taking orders for heroin from workers and customers.

4. Defendant VIVIAN SANTINI was one of a number of workers who sold heroin for Co-conspirator # 1 and defendant AURILUZ CRUZ in Allentown. Following the sales of heroin, defendant SANTINI and other workers paid Co-conspirator # 1 and defendant CRUZ in cash from proceeds from their heroin sales. Defendant SANTINI generally received bundles of heroin, each bundle containing 14 packets, from defendant CRUZ, and distributed the packets to street dealers who sold to packets to customers at \$10 per packet in and around the 100 block of Turner Street and the 800 block of 7th Street in Allentown.

5. Defendant AURILUZ CRUZ regularly carried a firearm on her person when participating in heroin trafficking for Co-conspirator # 1 and otherwise kept the firearm in her Walnut Street residence.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendants AURILUZ CRUZ and VIVIAN SANTINI, Co-conspirator #1, and others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

On or about February 21, 2007:

1. Inside her Allentown residence, defendant VIVIAN SANTINI possessed four bags of heroin stamped "I WANT THAT SHIT"; approximately 40 bundles of heroin stamped "LOONEY TUNES"; and approximately \$5,307 in United States currency representing the proceeds she received from her sale of heroin.

On or about May 15, 2007:

2. Defendant VIVIAN SANTINI spoke to Co-conspirator #1 by telephone and requested 10 grams of heroin.

3. Less than an hour later, defendant AURILUZ CRUZ telephoned defendant VIVIAN SANTINI and informed her that Co-conspirator #1 was ready to provide defendant SANTINI with 10 grams of heroin and told her to meet Co-conspirator # 1 in the 1300 block of Hickory Street to get the heroin.

4. Shortly thereafter, Co-conspirator #1 met with defendant VIVIAN SANTINI at the prearranged location, where Co-conspirator # 1 handed defendant SANTINI approximately 10 grams of heroin, while she was sitting in her vehicle.

On or about June 13, 2007:

5. Defendant VIVIAN SANTINI telephoned defendant AURILUZ CRUZ to arrange to obtain heroin.

6. Defendant VIVIAN SANTINI met defendant AURILUZ CRUZ inside her Walnut Street residence and paid defendant CRUZ approximately \$300 for approximately 4.8 grams of heroin.

7. On or about June 28, 2007, defendant VIVIAN SANTINI met defendant AURILUZ CRUZ inside her Walnut Street residence, where defendant CRUZ handed her approximately 14 bags of heroin stamped "HARDI TARGET" weighing approximately .26 grams.

On or about June 29, 2007:

8. Inside their Walnut Street residence at 1318 Walnut Street in Allentown, Co-conspirator #1 and defendant AURILUZ CRUZ possessed for distribution numerous bundles of heroin weighing over 400 grams, as well as drug packaging material, drug ledgers and books, approximately \$1,800 in cash, a money counter, a Springfield Arms handgun, serial number US 272251, numerous rounds of ammunition, and two empty gun cases.

9. Inside the residence at 1252 Walnut Street in Allentown, which was used by Co-conspirator # 1 and defendant AURILUZ CRUZ to store heroin, they possessed for distribution 7 bags of heroin weighing approximately .14 grams and drug paraphernalia.

10. The same day, Co-conspirator #1 possessed over \$5,000 United States currency on his person representing the proceeds of drug trafficking.

11. Co-conspirator #1 also maintained a storage unit located at 2977 MacArthur Road, Unit Number 0701 in which he kept drug paraphernalia, including 18 cardboard boxes

containing white wax-lined packets, clear plastic bags containing approximately 1,000 clear plastic baggies and a digital scale.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 15, 2007, in Allentown, in the Eastern District of Pennsylvania,
defendant

AURILUZ CRUZ

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 13, 2007, in Allentown, in the Eastern District of Pennsylvania,
defendant

AURILUZ CRUZ

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and
substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title
18, United States Code, Section 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 28, 2007, in Allentown, in the Eastern District of Pennsylvania,
defendant

AURILUZ CRUZ

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and
substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title
18, United States Code, Section 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 29, 2007, in Allentown, in the Eastern District of Pennsylvania, defendant

AURILUZ CRUZ

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, 100 grams or more, that is, approximately 405 grams, of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B)(i), and Title 18, United States Code, Section 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 29, 2007, in Allentown, in the Eastern District of Pennsylvania,
defendant

AURILUZ CRUZ

knowingly possessed a firearm, that is, a Springfield Arms handgun, serial number US 272251, loaded with live rounds of ammunition, in furtherance of a drug trafficking crime for which she may be prosecuted in a court of the United States, that is, conspiracy to distribute heroin and possession with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Sections 846 and 841(a)(1).

In violation of Title 18, United States Code, Sections 924(c)(1).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 924(c), set forth in this indictment, defendant

AURILUZ CRUZ

shall forfeit to the United States of America the firearm and ammunition involved in the commission of such offense, including, but not limited to:

- (a) One Springfield Arms handgun, serial number US 272251; and
- (b) The following ammunition: six .40 caliber rounds, 11 .45 caliber rounds, 39 .223 caliber rounds, Springfield magazine with 11 .40 caliber rounds, black magazine with 7 .40 caliber rounds.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

2. As a result of the violations of Title 21, United States Code, Sections 846 and 841(a)(1), as set forth in this indictment, defendants

**AURILUZ CRUZ and
VIVIAN SANTINI**

shall forfeit to the United States of America:

- (a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses, including , but not limited to:

- (i) \$1,800 in United States currency;
- (ii) One Springfield Arms handgun, serial number US 272251;
and
- (iii) The following ammunition: six .40 caliber rounds, 11 .45 caliber rounds, 39 .223 caliber rounds, Springfield magazine with 11 .40 caliber rounds, black magazine with 7 .40 caliber rounds.

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offenses.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided with out difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
United States Attorney